

S/N 09/831,971

09/831971 010 Rec'd PCT/PTO 21 DEC 2001  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: VAN SAARLOOS et al. Docket No.: 8257.17USWO  
Serial No.: 09/831,971 Filed: May 16, 2001  
Int'l Appln No.: PCT/AU99/01024 Int'l Filing Date: November 18, 1999  
Title: LIMITED COHERENCE STEREO OPHTHALMOSCOPE

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 037641197 US

Date of Deposit: December 21, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 

Name: Chris Stordahl

PETITION UNDER 37 C.F.R. §1.47(a)

Box Missing Requirements  
Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

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Legal Staff

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Dear Sir:

Applicants respectfully request that a Notification of Acceptance be issued for the above-referenced matter. This matter entered the National Stage on May 16, 2001. The filing particulars included an unsigned Combined Declaration and Power of Attorney. A Notification of Missing Requirements was subsequently mailed on June 21, 2001.

A declaration was provided to the inventors for execution. All inventors signed the document with the exception of Dr. Paul Van Saarloos. Applicants submit that due diligence was exhibited in obtaining Dr. Paul Van Saarloos's signature. In support of this assertion, Applicants enclose a signed declaration by Jeanette Elizabeth Butler, a person having first hand knowledge of the efforts to obtain Dr. Van Saarloos's signature. Applicant further submit supporting documentation relating to these efforts.

As noted in paragraph 7 of the Ms. Butler's declaration, Dr. Van Saarloos's legal counsel expressly stated that secondary matters, such as execution of the forms for the present application, would be left until the primary dispute is resolved. Applicants respectfully submit that this statement should be construed as an express refusal to execute to the Combined Declaration and Power of Attorney.

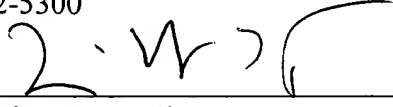
Please find enclosed the petition fee of \$130.00. Charge any other fee that may be necessary in consideration of this petition, to Merchant & Gould deposit account no. 13-2725.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Brian H. Batzli (Reg. No. 32,960), at 612.336.4755.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: December 21, 2001

By

  
\_\_\_\_\_  
Brian H. Batzli  
Reg. No. 32,960

BHB/JAL/tvm